

REMARKS

Claims 1, 4-6, 8-15, 24, and 25 are all the claims pending in the application.

The Examiner restricted claims 15, 24, and 25. Accordingly, Applicant cancels the restricted claims without prejudice or disclaimer. Applicant reserves the right to file a divisional application directed to the restricted claims.

By this Amendment, Applicant also amends claims 1, 4-6, 8, 9, and 11 to further clarify the invention and for improved conformity with the US practice. Applicant cancels claim 10 without prejudice or disclaimer.

Accordingly, claims 1, 4-6, 8, 9, and 11-14 are all the claims pending in the application.

I. Preliminary Matter

As a preliminary matter, Applicant thanks the Examiner for returning the initialed forms PTO/SB/08 submitted with the Information Disclosure Statements filed on December 12, 2007 and March 7, 2008.

II. Summary of the Office Action

Claims 4-6 are rejected under 35 U.S.C. § 112, second paragraph and claims 1, 4-6, 8-10, and 11-14 are rejected under 35 U.S.C. § 103(a).

The Examiner also objected to claim 10 for a minor informality. Claim 10 has been cancelled, rendering this objection moot.

III. Claim Rejections under 35 U.S.C. § 112, second paragraph

Claims 4-6 are rejected under 35 U.S.C. § 112, second paragraph, for minor informalities. Applicant thanks the Examiner for pointing out with particularity the aspects of the claims

believed to be unclear. Applicant respectfully requests the Examiner to withdraw these rejections in view of the self-explanatory claim amendments being made herein.

IV. Claim Rejections under 35 U.S.C. § 103

Claims 1 and 8-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,465,463 to Yoshihara et al. (hereinafter “Yoshihara”) in view of U.S. Patent No. 6,618,161 to Fresk et al. (hereinafter “Fresk”). Applicant respectfully traverses these grounds of rejection at least in view of the following exemplary comments.

Claim 10 has been cancelled, rendering this rejection moot.

Independent claim 1 recites, *inter alia*,: “when printing at least a first original image and a second original image on a single medium, by laying out said first original image on a first print region of the single medium and said second original image on a second print region of said single medium, said printer unit starts printing, on said single medium, said first original image after the reading operation of said first original image regardless of whether the reading operation of said second original image has finished.”

The Examiner acknowledges that Yoshimura does not disclose or suggest the above-quoted unique features of claim 1 (*see* pages 10 and 11 of the Office Action). The Examiner, however, alleges that Fresk cures the above-identified deficiencies of Yoshimura in col. 6, lines 3-8 (*see* page 11 of the Office Action). Applicant respectfully disagrees.

Fresk discloses a printer system with a scanner including an image reception device configured to flatbed scan a print job including a plurality of pages and output image data corresponding to the pages, a print engine controller coupled with the scanner and configured to

receive the print job including the image data corresponding to the pages, and a print engine coupled with the print engine controller and configured to print a plurality of collated copies of the print job (*see* Abstract and col. 1, line 60 to col. 2, line 16).

Specifically, Fresk discloses that a printer begins to print and output a first copy of the print job before the last image of the print job is scanned. In Fresk, subsequent copies of the print job are usually not printed until the last image of the print job has been scanned. Thereafter, plural copies of the print job can be generated and outputted ((col. 6, lines 3 to 8).

In Fresk, however, at a time four originals are to be 2-up printed, after the first and second originals are read, before reading the last of the four originals, the two originals are 2-up printed on one sheet. In other words, in Fresk, in the case of 2-up printing, printing is not started at a stage where the first original has been read, and 2-up printing is started after the second original has been read. That is, Fresk does not disclose or suggest that in the case of 2-up printing, printing is started at the stage when the first original has been read and the second image has not yet been read.

Furthermore, Applicant respectfully submits that Fresk only discloses printing page by page such that all images to be printed on a single page are read in first. In Fresk, for example, if four images are to be printed on two sheets of paper, the first and second images to be printed on the first sheet are read, and the two images are printed on the first sheet before the last image (which is to be printed on the second sheet) is read. In other words, Fresk can only start the printing after both images to be printed on a single sheet has been read. Fresk fails to disclose or suggest starting the printing after reading the first of the two images to be printed on the same

single sheet regardless of whether the second image has been read. In short, Fresk fails to cure the above-identified deficiencies of Yoshihara.

Therefore, “when printing at least a first original image and a second original image on a single medium, by laying out said first original image on a first print region of the single medium and said second original image on a second print region of said single medium, said printer unit starts printing, on said single medium, said first original image after the reading operation of said first original image regardless of whether the reading operation of said second original image has finished,” as set forth in claim 1 is not disclosed by Yoshihara in view of Fresk, which lacks printing first image on the page regardless of whether the second image is being read, where the second image is to be printed on that same page. For at least these exemplary reasons, claim 1 is patentable over Yoshihara in view of Fresk. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claim 8.

Independent claim 9 recites features similar to, although not necessarily coextensive with, the features argued above with respect to claim 1. Accordingly, for at least analogous exemplary reasons, claim 9 is patentable over Yoshihara in view of Fresk.

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshihara and Fresk and further in view of U.S. Patent No. 6,711,626 to Okada (hereinafter “Okada”) and claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshihara and Fresk and Okada and further in view of U.S. Patent No. 4,872,035 to Miyake et al. (hereinafter “Miyake”). Applicant respectfully traverses these grounds of rejections for at least the following exemplary reasons.

Claims 4-6 depend on claim 1. Applicant has already demonstrated that Yoshihara in view of Fresk do not meet all the requirements of independent claim 1. Okada and Miyake do not compensate for the above-identified deficiencies of Yoshihara and Fresk. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claim 1. Since claims 4-6 depend on claim 1, they are patentable at least by virtue of their dependency.

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshihara in view of Japanese Publication No. 2002/247382 to Fujii (hereinafter “Fujii”) and claims 13 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshihara and Fujii in view of Fresk. Applicant respectfully traverses these grounds of rejection for at least the following exemplary reasons.

Independent claim 11 recites “wherein, when printing at least a first image of a first original and a second image of a second original on a single medium, by laying out said first image on a first print region of a single medium, and laying out said second image on a second print region of said single medium, said printer unit prints the first image in a print mode according to a first reading instruction of said first image, and prints the second image in a print mode according to a second reading instruction of said second image.”

Applicant respectfully submits that Yoshihara in view of Fuji and Fresk do not disclose or suggest at least these unique features of claim 11. That is, the prior art of record do not disclose or suggestion printing different images in different modes on the same single medium.


Accordingly, claim 11 is patentable over Yoshihara in view of Fujii and Fresk. Claims 12-14 are patentable at least by virtue of their dependency on claim 11.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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